

EXPRESS MAIL RECEIPT NO. EL 988725117 US
DEPOSITED ON DEPOSITED ON: September 29, 2003

PATENT

PRACTITIONER'S DOCKET NO. 8403.997

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Donald E. Weder, William F. Straeter, Joseph
G. Straeter, Michael J. King, Franklin J.
Craig and Michael R. Klemme

Application No.: Not Yet Assigned Art Unit: 3644

Filed: Herewith Examiner: F. Palo

For: DECORATIVE ASSEMBLY FOR A FLORAL GROUPING

MAIL STOP - PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA. 22313-1450

INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This
Information Disclosure Statement

The following sections are being submitted for this Information
Disclosure Statement:

1. [X] Preliminary Statements
2. [X] FORM PTO-1449 (Modified)
3. [X] Statement as to Information Not Found in Patents
or Publications
4. [X] Identification of Prior Application in Which
Listed Information Was Already Cited and for Which
No Copies Are Submitted or Need Be Submitted
5. [X] Copies of Listed Information Items Accompanying
this Statement
6. [X] Identification of Person(s) Making this
Information Disclosure Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. Form PTO-1449 (Modified)

☒ A completed Form 1449 (Modified) is attached hereto.

☐ No Form 1449 (Modified) is attached.

Section 3. Statement as to Information Not Found in Patents or Publications (Information Not Listed in Form PTO-1449)

Applicants are aware that in the past, a sheet of material has been placed about a flower pot and then an elastic band placed around the sheet of material about the flower pot. In some instances, the band has been positioned about the outer periphery of the pot with the sheet of material positioned between the band and the flower pot. In some instances, the band has been positioned above the upper end of the pot, thereby causing a portion of the sheet of material to be forced inwardly over the upper end of the pot.

Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. 10/449,319, filed on May 30, 2003.

(complete the following, if applicable)

☐ This application also relies, under 35 U.S.C. 120, on the earlier filing date of prior application Serial No. _____, filed on _____ (date).

Section 5. Copies of Listed Information Items Accompanying this Statement

Legible copies of all items listed in Form PTO-1449 (Modified) accompany this information disclosure statement.

☒ Exception(s) to above:

☒ Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 4.

Section 6. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

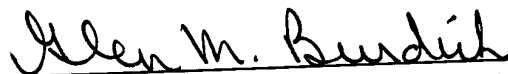
The person making this statement is the attorney who signs below on the basis of the information:

☐ supplied by the inventor(s)

☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).

☒ in the attorney's file

Respectfully submitted,



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FORM PTO-1449U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Attorney's Docket Number 8403.997

Serial Number: Not yet
Assigned

(Fill-A-Form 7.92)

INFORMATION DISCLOSURE CITATION

Applicant Donald E. Weder, William F. Straeter, Joseph G. Straeter, Michael J. King, Franklin J. Craig and Michael R. Klemme

(Use several sheets if necessary)

Filing Date: Herewith

Group: Not Yet Assigned

U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA		7	9	7	1	7	5	08/15/1905	Collenburg et al.	47	72	
	AB	1	2	0	6	7	0	8	11/28/1916	Hutchins			
	AC	1	4	4	6	5	6	3	02/27/1923	Hughes			
	AD	1	4	9	0	0	2	6	04/08/1924	Richards	47	72	
	AE	1	6	1	0	6	5	2	12/14/1926	Bouchard			
	AF	1	6	9	7	7	5	1	01/01/1929	Blake			
	AG	1	7	0	4	8	0	1	03/12/1929	Miller	47	72	
	AH	1	9	6	4	8	8	7	07/03/1934	Lovett, Jr.	47	37	
	AI	1	9	8	8	8	8	6	01/22/1935	Wilson	47	37	
	AJ	1	9	9	4	9	6	2	03/19/1935	Rushfeldt	47	37	
	AK	2	0	2	3	7	8	2	12/10/1935	Driver	47	72	
	AL	2	0	6	2	4	1	0	12/01/1936	Garcia	47	72	
	AM	2	1	5	2	6	4	8	04/04/1939	Jones	47	34	
	AN	2	2	0	9	7	7	8	07/30/1940	Krasowski	41	10	
	AO	2	2	7	4	5	2	6	02/24/1942	Bunn	100	31	
	AP	2	3	0	2	2	5	9	11/17/1942	Rothfuss	41	10	
	AQ	2	5	1	4	0	3	8	07/04/1950	Doolittle	226	129	
	AR	2	5	4	0	7	0	7	02/06/1951	Beukelman	47	72	
	AS	2	7	7	4	1	8	7	12/18/1956	Smithers	47	41	
	AT	2	8	5	0	8	4	2	09/09/1958	Eubank, Jr.	47	58	
	AU	2	9	8	9	8	2	8	06/27/1961	Warp	53	390	
	AV	3	0	2	2	6	0	5	02/27/1962	Reynolds	47	58	
	AW	3	0	7	3	0	6	2	01/15/1963	Hoffman	47	41	
	AY	3	2	7	1	9	2	2	09/13/1966	Wallerstein et al.	53	3	
	AZ	3	3	1	6	6	7	5	05/02/1967	Cartwright, Jr.	47	37	

U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BA	3	3	7	6	6	6	6	04/09/1968	Leonard	47	41	
	BB	3	4	3	1	7	0	6	03/11/1969	Stuck	53	390	
	BC	3	5	3	1	9	1	0	10/06/1970	Snead	53	135	
	BD	3	5	5	4	4	3	4	01/12/1971	Anderson	229	55	
	BE	3	5	5	6	3	8	9	01/19/1971	Gregoire	229	53	
	BF	3	7	4	8	7	8	1	07/31/1973	Erling	47	34.11	
	BG	3	8	6	9	8	2	8	03/11/1975	Matsumoto	47	34.11	
	BH	4	0	0	6	5	6	1	02/08/1977	Thoma et al.	47	58	
	BI	4	0	9	1	9	2	5	05/30/1978	Griffo et al.	206	423	
	BJ	4	1	1	8	8	9	0	10/10/1978	Shore	47	28	
	BK	4	1	8	9	8	6	8	02/26/1980	Tymchuck et al.	47	84	
	BL	4	2	1	6	6	2	0	08/12/1980	Weder et al.	47	72	
	BM	4	2	8	0	3	1	4	07/28/1981	Stuck	53	241	
	BN	4	3	0	0	3	1	2	11/17/1981	Weder et al.	47	72	
	BO	4	3	3	3	2	6	7	06/08/1982	Witte	47	84	
	BQ	4	4	0	0	9	1	0	08/30/1983	Koudstaal et al.	47	84	
	BR	4	4	1	3	7	2	5	11/08/1983	Bruno et al.	206	45.33	
	BS	4	6	2	1	7	3	3	11/11/1986	Harris	206	423	
	BT	4	6	4	6	4	7	0	03/03/1987	Maggio	47	76	
	BU	4	7	3	3	5	2	1	03/29/1988	Weder et al.	53	580	
	BV	4	7	7	3	1	8	2	09/27/1988	Weder et al.	47	72	
	BW	4	8	0	1	0	1	4	01/31/1989	Meadows	206	423	
	BX	4	8	3	5	8	3	4	06/06/1989	Weder	29	525	
	BY	4	9	0	1	4	2	3	02/20/1990	Weder	29	432	
	BZ	4	9	1	0	9	1	3	03/27/1990	Streeter	47	72	
	CA	4	9	4	1	5	7	2	07/17/1990	Harris	206	423	
	CB	5	0	7	7	9	3	7	01/07/1992	Weder et al.	47	72	
	CC	5	0	8	5	0	0	3	02/04/1992	Garcia	47	72	
	CD	5	1	0	6	6	6	2	04/21/1992	Khayat	47	41.01	
	CE	5	1	1	1	6	3	8	05/12/1992	Weder	53	397	
	CF	5	1	2	0	3	8	2	06/09/1992	Weder	156	212	

U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CG	5	1	8	1	3	6	4	01/26/1993	Weder	53	397	
	CH	5	2	2	8	2	3	4	07/20/1993	de Klerk et al.	47	47.01	
	CI	5	2	3	1	7	9	4	08/03/1993	Weder et al.	47	72	
	CJ	5	2	3	5	7	8	2	08/17/1993	Landau	47	72	
	CK	5	2	3	9	7	7	5	08/31/1993	Landau	47	72	
	CL	5	3	3	9	6	0	1	08/23/1984	Weder et al.	53	399	
	CM	5	4	1	0	8	5	6	05/02/1995	Weder et al.	53	397	
	CN	5	5	2	2	2	0	2	06/04/1996	Weder et al.	47	72	
	CO	5	5	9	5	2	9	8	01/21/1997	Straeter	47	72	
	CP	5	9	3	7	5	7	6	08/17/1999	Weder et al.	47	72	
	CQ	6	0	1	8	9	0	8	02/01/2000	Charrin et al.	47	206	
	CR	6	4	2	7	3	8	0	08/06/2002	Weder et al.	47	41.01	

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAM INIT.		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	Translation	
													YES	NO
	CS	9	6	3	7	1	3	3	11/28/1996	WO/PCT				
	CT			1	5	5	5	0	07/29/1899	United Kingdom				
	CU			2	8	3	2	2	12/24/1907	United Kingdom				
	CV	1	2	0	4	6	4	7	09/09/1970	United Kingdom				
	CW	0	1	6	3	4	5	3	12/04/1985	EPO				
	CX	1	0	8	4	8	8	8	01/25/1955	France				X
	CY	1	3	9	3	7	2	5	02/15/1965	France				X
	CZ	2	0	3	6	1	6	3	12/14/1970	France			X	
	DA	2	2	7	2	9	1	4	12/26/1975	France			X	
	DB	2	6	1	9	6	9	8	03/03/1989	France			X	
	DC	2	6	5	1	6	6	3	03/15/1991	France			X	
	DD	2	7	3	4	4	6	4	05/24/1995	France			X	
	DE		3	4	5	4	6	4	12/12/1921	Germany			X	
	DF		5	1	3	9	7	1	12/05/1930	Germany			X	
	DG	1	1	6	6	6	9	2	03/26/1964	Germany			X	

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION														
EXAM INIT.		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	Translation	
													YES	NO
	DH	2	9	4	8	2	6	5	05/07/1981	Germany				X
	DI	8	9	0	5	2	5	0	10/05/1989	Germany				X
	DJ		5	6	0	5	3	2	04/15/1975	Switzerland			X	
	DK	9	8	5	2	0	4	8	04/09/1998	Australia			X	
EXA M INIT.		OTHER MATERIALS <i>(Including, Author, Title, Date, Relevant Pages, Place of Publication. **)</i>												
	DL	"Target Halloween Sales With Highlander", Brochure, Highland Supply Corporation, 1992.												
	DM	"Speed Sheets and Speed Rolls", Brochure, Highland Supply Corporation, 1991, 2 pages.												
	DN	"The Simple Solution For Those Peak Volume Periods", Brochure, Highland Supply Corporation, 1989, 6 pages.												
	DO	"Cellocoup - It's A Wrap", The John Henry Company, 1992, 4 pages.												
	DP	"A World Of Cut Flower And Pot Plant Packaging", Brochure, Klerk's Plastic Products Manufacturing, Inc., date unknown, 6 pages. Applicant admits that the products described in this brochure have been on sale at least more than one year prior to the filing of the present patent application.												
	DQ	"Color Them Happy with Highlander Products", ©1992, 2 pages.												
EXAMINER										DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609: Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to the applicant..														